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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

BLUE CREEK PRODUCE, LLC   :
                                          :
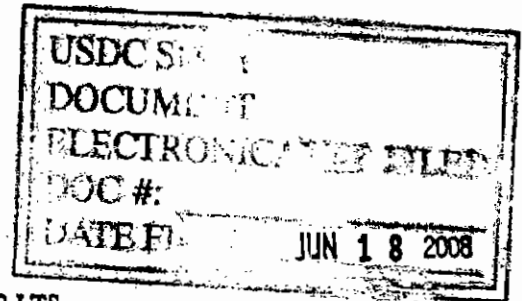   Plaintiff   :
                                          :
                                          :   Civil No. 1:07-cv-07849-LTS
        V.   :
                                          :   **ORDER AND JUDGMENT**
BIG CITY PRODUCE, INC., et al   :
                                          :
                 Defendants   :   # ———

ORDER AND JUDGMENT

HAVING REVIEWED AND CONSIDERED the foregoing Consent Judgment, Stipulation

and Order ("Stipulation") for a Judgment against Defendant Indumati Kothari and it appearing to the

satisfaction of the Court that judgment and relief in accordance with the terms of the Stipulation

should be entered, it is hereby

ORDERED that the Stipulation is approved in its entirety; and it is further

ORDERED that Plaintiff Blue Creek Produce, LLC is a valid trust beneficiary under the

provisions of the Perishable Agricultural Commodities Act ("PACA"), 7 U.S.C. §499e(c), against

Indumati Kothari in the principal amount due of $22,507.50, plus interest in the amount of $6,410.71

and attorneys' fees in the amount of $16,000.00, for a total amount due of $44,918.21 ("PACA

Amount Due"); and it is further

ORDERED that judgment is entered in favor of Plaintiff and against Defendant Indumati

Kothari in the amount of $22,507.50 under the trust provisions of the PACA, 7 U.S.C. § 499e(c); and

it is further;

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ORDERED that if Defendant defaults in her obligations and fails to cure the default, or if the

Defendant has defaulted and cured the default two (2) previous times in any given calendar year and

defaults a third time in the same calendar year, as set forth in paragraphs 4 and 5 of the Stipulation,

Defendant shall be liable to Plaintiff for the PACA Amount Due, less any payments made by

Defendant, together with all of the Plaintiff's costs and reasonable additional attorneys fees as

provided in the Stipulation.

Dated: June __18__, 2008.

_____
United States District Court Judge

THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____

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